

60130-1371  
00MRA0030**REMARKS**

Reconsideration and allowance are respectfully requested. Claims 12-23 stand rejected. Applicant has amended claims 12, 14-16, 19, 21, 22 and 23, cancelled claim 17, and has added new claims 24-30. Therefore, claims 12-16 and 18-30 are currently pending.

**Formal issues**

The Office Action objected to the drawings because Figure 1D fails to show element 10B. Applicant respectfully notes, however, that Figure 1D is a broken, section view of Figure 1A and omits the middle portion, where element 10B resides. Thus, Figure 1D does not contain any informalities. Withdrawal of the objection to the drawings is therefore respectfully requested.

The Office Action also objected to the disclosure because of an informality. Applicant has amended the disclosure to correct the informality helpfully noted by the Examiner. Withdrawal of the objection to the disclosure is therefore respectfully requested.

**§ 112 rejection**

Claims 21 and 22 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Applicant has corrected the antecedent basis issues helpfully noted by the Examiner. Withdrawal of the rejection is therefore respectfully requested.

**§ 102 rejections**

Claims 12-19 and 21-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,469,668 to Heim et al. ("Heim"). Applicant respectfully traverses this rejection.

Applicant has amended the claims to clarify that the vehicle door apparatus includes at least one coupling member for holding a window pane outside the frame structure. Examples of this are shown in Figures 1D, 3, 5, and 8. By configuring the frame structure and the coupling member so that a window pane placed in the apparatus is held apart from the frame structure, the invention is able to construct the frame structure without separate window guides.

Heim fails to anticipate the claimed invention because Heim does not show a configuration designed to hold a window pane apart from the frame structure. As shown in Figure 6, for example, the frame in Heim includes guide grooves 15, 16 that are separate from

60130-1371  
00MRA0030

guide channels 43. The guide grooves 15, 16 hold a window pane 10 in the frame. As a result, Heim requires two separate recesses, grooves 15, 16 to accommodate the window pane 10 and guide channels 43 to accommodate a push-pull cable 44.

The invention of claims 12-19 and 21-22, by contrast, is designed to hold the window pane to the frame structure while keeping the window pane itself outside of the frame structure. Because Heim requires the edges of its window pane to be held within the frame in separate window guide grooves, Heim fails to anticipate claims 12-19 and 21-22.

With respect to claim 23, Applicant has amended the claim to clarify that frame structure includes an edge guide element that holds a window pane in substantially the same plane as the guide element in the frame structure. One example of this is shown in Figure 4. Although this does enclose the edges of the window pane, the edge guide element and the guide element are integrated together to form a continuous recess rather than kept as completely separate elements. Heim, by contrast, requires separate window guide grooves 15, 16 and guide channels 43 that do not form a continuous recess, nor does Heim disclose a coupling member disposed in such a recess. Thus, Heim fails to anticipate claim 23.

Withdrawal of the rejection of claims 12-19 and 21-23 are therefore respectfully requested.

#### § 103 rejection

Claim 20 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Heim in view of U.S. Patent No. 6,039,384 to Schulte et al. ("Schulte"). Applicant respectfully traverses this rejection. Claim 20 depends on patentable claim 12 and is therefore patentable for the reasons explained above. Combining Heim with Schulte still fails to teach the claimed invention because Schulte does not show any relationship between its window frame and a window pane, much less the relationship recited in the claims. The Office Action therefore fails to establish a prima facie case of obviousness with respect to claim 20, and withdrawal of the rejection is respectfully requested.

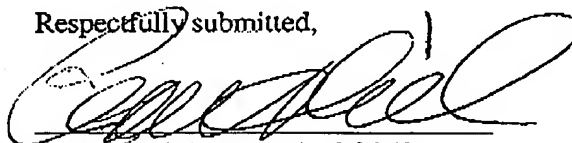
60130-1371  
00MRA0030

New claims

Applicant has added new claims 24-30 directed to a support structure for a vehicle door. New claims 24-30 recite the inventive relationship between the guide elements and the window pane and/or the edge guide element and are therefore patentable for the reasons explained above. Entry and allowance of new claims 24-30 are therefore respectfully requested.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Respectfully submitted,



Anna M. Shih, Reg. No. 36,372  
Carlson, Gaskey & Olds  
400 W. Maple Road, Ste. 350  
Birmingham, MI 48009  
(248) 988-8360

Dated: December 8, 2003

N:\Clients\MERITOR\101371\Patent\12-05-03 amd.DOC

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, (703) 872-9306, on December 8, 2003.



Beth A. Beard